



Attorney's Docket Number: 10010313-1 (2003309-0012)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Yakhini *et al.*  
Serial Number: 09/921,406  
Filed: August 2, 2001  
Title: CLASSIFYING CANCERS

Assistant Commissioner For Patents  
Washington, DC 20231

Sir:

Response to Notice to Comply with Requirements for Patent Applications Containing  
Nucleotide Sequence and/or Amino Acid Sequence Disclosures

In response to the Notice mailed November 7, 2002, Applicant encloses herewith a substitute paper copy and a substitute computer-readable diskette copy of the Sequence Listing required under 37 C.F.R. 1.821-1.825 for the above-referenced patent application.

The undersigned states that the content of the sequence listing information recorded in computer readable form is identical to the written sequence listing. In addition, the undersigned states that no new matter has been added to the application in providing the substitute Sequence Listing.

Please charge any fees that may be required or credit any overpayments to our Deposit Account No. 03-1721.

Respectfully submitted,

C. Hunter Baker, M.D., Ph.D.  
Reg. No. 46,533

CHOATE, HALL & STEWART  
Exchange Place  
53 State Street  
Boston, MA 02109  
(617) 248-5000  
Dated: 11/22/02  
3299206\_1.DOC

I hereby certify that this correspondence is being  
deposited with the United States Postal Service as first  
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Commissioner For Patents, Washington, D.C. 20231  
on 11-22-02

## CRF Problem Report



The Scientific and Technical Information Center (STIC) experienced a problem when processing the following computer readable form (CRF):

Application Serial Number: 09/921,406B  
Filing Date: 08/02/2001  
Date Processed by STIC: 10/23/02

STIC Contact: Mark Spencer, 703-308-4212

### Nature of Problem:

The CRF (was):

- ☒ (circle one) Damaged or Unreadable (for Unreadable, see attached)  
☐ Blank (no files on CRF) (see attached)  
☐ Empty file (filename present, but no bytes in file) (see attached)  
☐ Virus-infected. Virus name: \_\_\_\_\_ The STIC will not process the CRF.  
☐ Not saved in ASCII text  
☐ Sequence Listing was embedded in the file. According to Sequence Rules, submitted file should **only** be the Sequence Listing.  
☐ Did not contain a Sequence Listing. (see attached sample)  
☐ Other: \_\_\_\_\_

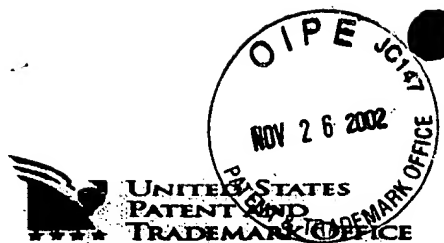
**PLEASE USE THE CHECKER VERSION 3.1 PROGRAM TO REDUCE ERRORS.  
SEE BELOW FOR ADDRESS:**

<http://www.uspto.gov/web/offices/pac/checker>

Applicants submitting genetic sequence information electronically on diskette or CD-Rom should be aware that there is a possibility that the disk/CD-Rom may have been affected by treatment given to all incoming mail. Please consider using alternate methods of submission for the disk/CD-Rom or replacement disk/CD-Rom. Any reply including a sequence listing in electronic form should NOT be sent to the 20231 zip code address for the United States Patent and Trademark Office, and instead should be sent via the following to the indicated addresses:

1. EFS-Bio (<<http://www.uspto.gov/efb/efs/downloads/documents.htm>> , EFS Submission User Manual - ePAVE)
2. U.S. Postal Service: U.S. Patent and Trademark Office, Box Sequence, P.O. Box 2327, Arlington, VA 22202  
Hand Carry directly to:  
U.S. Patent and Trademark Office, Technology Center 1600, Reception Area, 7<sup>th</sup> Floor, Examiner Name, Sequence Information, Crystal Mall One, 1911 South Clark Street, Arlington, VA 22202  
Or  
U.S. Patent and Trademark Office, Box Sequence, Customer Window, Lobby, Room 1B03, Crystal Plaza Two, 2011 South Clark Place, Arlington, VA 22202
4. Federal Express, United Parcel Service, or other delivery service to: U.S. Patent and Trademark Office, Box Sequence, Room 1B03-Mailroom, Crystal Plaza Two, 2011 South Clark Place, Arlington, VA 22202

Revised 01/29/2002



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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/921,406 ✓	08/02/2001	Zohar Yakhini	10010313-1 (2003309-0012) ✓

CONFIRMATION NO. 6019

AGILENT TECHNOLOGIES  
Legal Department, 51UPD  
Intellectual Property Administration  
P. O. Box 58043  
Santa Clara, CA 95052-8043

## FORMALITIES LETTER



\*OC000000009080664\*

US ACTION \_\_\_\_\_  
 DISCARD DATE 1-27-03  
 Paper Dated \_\_\_\_\_  
 ON \_\_\_\_\_ FINAL \_\_\_\_\_  
 No. of \_\_\_\_\_ Dwg \_\_\_\_\_  
 Appeal \_\_\_\_\_ Issue Fee \_\_\_\_\_  
 Other \_\_\_\_\_

Date Mailed: 11/07/2002

*Incomplete application*

### NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

*Filing Date Granted*

Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file the items indicated below to avoid abandonment. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

- The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d). Applicant must provide a substitute computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)

*A copy of this notice **MUST** be returned with the reply.*

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09/921,406	08/02/2001	Zohar Yakhini	10010313-1 (2003309-0012)

CONFIRMATION NO. 6019

AGILENT TECHNOLOGIES  
Legal Department, 51UPD  
Intellectual Property Administration  
P. O. Box 58043  
Santa Clara, CA 95052-8043

**FORMALITIES LETTER**



\*OC000000009080664\*

Date Mailed: 11/07/2002

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS  
CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE  
DISCLOSURES**

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